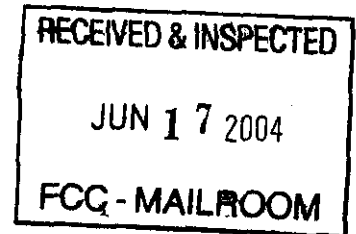




CENTRAL CATHOLIC
HIGH SCHOOL



June 11, 2004

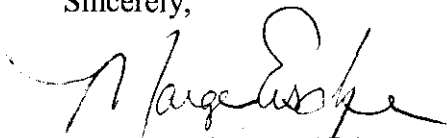
FCC
Office of the Secretary
445 12th Street SW
Washington, DC 20554

RE: CC Docket No. 02-6
Administrator's Decision on Appeal
Billed Entity Number: 46934
471 Application Number: 393964
Funding Request Number(s): 1078023, 107807, 1078030
Your Correspondence Dated: June 1, 2004

I am seeking an appeal to your decision to deny my original request for an appeal. Please keep in mind that this was my first year at completing your requested forms. I can assure you that in future years I will not make the same mistake of omitting to have my signature on the documents. Central Catholic High School is an inner city school that provides services for about 1,150 students and greatly depends on your funding to help alleviate the financial burden of our parents.

I am hoping that you will reconsider your decision to deny my appeal.

Sincerely,


Margaret Eischen, CPA
Treasurer

Enc:

No. of Copies rec'd _____
List ABCDE 0



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2004-2005

June 1, 2004

Margaret Eischen
Central Catholic High School
2550 Cherry Street
Toledo, OH 43608-2394

Re: Billed Entity Number: 46934
 471 Application Number: 393964
 Funding Request Number(s): 1078023, 1078025, 1078027, 1078030
 Your Correspondence Dated: March 1, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision regarding your appeal of the SLD's Funding Year 2004 Form 471 Certification Rejection Letter for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

Funding Request Number: 1078023, 1078025, 1078027, 1078030
Decision on Appeal: **Denied in full**
Explanation:

- On appeal, you seek reversal of the SLD's decision to deny the funding requests for failure to sign the Form 471 Certification and Signature page. While you acknowledge that you failed to sign the Form 471 Certification and Signature page, you ask that the SLD accept the signed Form 471 Block 6 pages, included with your Letter of Appeal.
- Upon thorough review of the appeal letter, it is determined that Block 6, Item 34, of your Form 471, postmarked on February 2, 2004, was submitted unsigned. While the certification was received within the Funding Year 2004 window, it was unsigned; therefore, it was properly rejected. The Form 471 Certification Rejection Letter was dated February 27, 2004. Although you submit a signed Form 471 certification with your letter of appeal, the submission is postmarked March 2, 2004. Program rules require that in order to be considered as received within the Funding Year 2004 window, completed Forms 471 and certifications must be received by SLD or

postmarked no later than February 4, 2004. Finally, it is the responsibility of the applicant to ensure that all forms are correct and submitted to SLD in a timely manner, and on appeal, you fail to show that the application was improperly rejected.

- Consistent with the FCC Decision on South Barber Unified School District, the signature certification is fundamental to the administration of the program. SLD relies on the signature certification to establish the authority of the signer to represent the applicant. Signature certifications ultimately satisfy the program's policy objective of binding the applicants and service providers to the program requirements. Failing to submit a signature certification omits the legally binding act that signifies compliance with program rules.¹
- On March 2, 2004, you sent an appeal along with a corrected Block 6 certification page. In your letter, you acknowledge that the original form was sent without a signature and request that the correction be accepted and the application considered to be timely filed. As referenced in the South Barber decision, the purpose of a filing window is to put all applicants who file within the window on equal footing.² Allowing applicants to correct their applications and resubmit them after the window has closed would eliminate any incentive to comply with SLD's document demands in a timely fashion, and could jeopardize SLD's ability to accurately apply the rules of priority in years where requests for funding exceed the annual funding cap.³ Therefore, your appeal is denied in full and your application will not be data entered.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

¹ *Request for Review of the Decision of the Universal Service Administrator by South Barber Unified School District 255, Changes to the Board of Directors of the National Exchange Carriers Association, Inc.*, File No. SLD-158897, CC Dockets No. 96-45- and 97-21, Order, DA 01-2233 (Com. Car. Bur. Rel. Oct. 23, 2001).

² *Id.*

³ *Id.*